

Wednesday, September 25, 2013

Bureau of Indian Affairs

SHUTDOWN CONTINGENCY PLAN



Purpose

In the event of a lapse in appropriations, the Bureau of Indian Affairs (BIA) has prepared the following Contingency Plan (Plan) to designate excepted personnel for the protection of human life, property and to prevent harm.

Excepted Personnel

The Plan identifies Excepted Personnel in the following three categories: Protection of Human Life (Law Enforcement); Protection of Federal Property; and Preventing Harm. These personnel are the minimum required to enable the BIA to provide vital services, exercise civil authority, and maintain the safety of its employees and the general public.

A staffing summary of the Plan, if implemented, is provided as follows:

Office	Employees on Board	RETAINED				Subject to Furlough
		Excepted - Law Enforcement	Exempt - Funded by Other than Annual Appropriations	Excepted - Protection of Life and Property	Total Retained	
BIA	4,113	666	473	446	1585	2,528

Non-Appropriated Funds:

Transportation, Irrigation and Power Revenue Projects are not funded through lapsing appropriations and operations will continue for these programs as they operate on the revenues collected for the sites. These employees total 473.

EXCEPTED REQUIRED SERVICES AND ACTIVITIES

Required Services and Activities
Law Enforcement – 25 U.S.C. 2801 et seq. (Indian Law Enforcement Reform Act), 104 Stat. 473, P.L. 101-379, as amended; 124 Stat. 2262, P.L. 111-211 (Tribal Law and Order Act).
Human Services (Child Protection) – 25 Code of Federal Regulations 63 (Indian Child Protection and Family Violence Prevention Act)
Wildland Fire Management – 25 Code of Federal Regulations 163

Irrigation (Non-appropriated funds Fee-for-Service) – 25 Code of Federal Regulations 171
Safety of Dams (Early Warning System Operation) – 25 Code of Federal Regulations 175

A total of 1,112 employees are excepted. This includes 666 law enforcement personnel and 446 personnel needed to protect life and safety. The Excepted Functions are summarized below.

Excepted Functions
Provide emergency response activities on tribal and allotted lands.
Provide critical services that address health and safety of tribes and tribal members and BIA employees.
Provide immediate response to allegations of child abuse and neglect.
Provide law enforcement and detention operations on Indian lands under Federal jurisdiction, coordinate Tribal law enforcement activities, and enforcement of Federal laws.
Protect Federal facilities and infrastructure.
Provide critical services for delivery of water and power to irrigation systems, dams, and communities.
Provide transportation infrastructure construction and maintenance on tribal lands.

Excepted Support Activities

The following summarizes activities which are necessary in the performance of excepted Personnel to perform excepted functions.

Excepted Support Activities
Communicate with AS-IA employees, providing information on the status of operations.
Operate and maintain facilities for the health and safety of Federal employees and the protection of property.
Account for status of the workforce and recall employees to duty, as required.
Provide directorate communication about the status of appropriations.